

REMARKS

Claims 1-8 remain pending in the application, and the claims have not been amended further. Favorable reconsideration of the application is respectfully requested in view of the following remarks.

I. OVERVIEW OF THE CLAIMED INVENTION

The claimed invention pertains to a recording method for a write-once disc employing a ***pseudo-overwrite operation***. A "pseudo-overwrite operation" is an overwrite operation in which a replacement operation is used to write data into an unrecorded area ***in response to an instruction to write the data into an already recorded area*** of a write-once disc. In other words, the data is written to an unrecorded location that actually differs from the recorded location indicated in the instruction. (Application at page 11, lines 18-22.)

In the claimed invention, a drive apparatus reads metadata for managing a data file from a location in the write-once disc. The metadata is updated commensurately with changes to the data of the data file. As described in the current application, to provide an efficient writing method, the drive ***apparatus is instructed to record the updated metadata to the same data location from which the metadata was read***. Because such location is an already recorded area, and thus cannot be written to again, ***the updated metadata instead is written to an unrecorded spare area***. In this manner, the driving apparatus performs a pseudo-overwrite operation. (See, e.g., Application at page 11, lines 4-16; Fig. 1, S106.)

In accordance with such features, independent claim 1 recites in part steps:

(b) instructing the drive apparatus to read metadata for managing the file from a location in the write-once disc, so as to obtain the metadata; [and] . . .

(f) instructing the drive apparatus to write at least a part of the updated metadata to the location from which the metadata is read in the step (b) in the write-once disc.

Comparable features are recited in independent claims 6 and 8. Because the disc is a write-once disc, the data actually must be written to a disc location other than the

location from which the metadata is read. The reference cited by the Examiner does not disclose or suggest a pseudo-overwrite operation as claimed.

II. CLAIM REJECTIONS – 35 U.S.C. §§ 102(b)/103(a)

The Examiner has withdrawn his previous rejections in favor of new grounds for rejection. In particular, independent claims 1, 6, and 8 stand rejected pursuant to 35 U.S.C. § 102(b) as being anticipated by Takano et al., U.S. Patent No. 5,448,728 (Takano). The dependent claims stand rejected pursuant to 35 U.S.C. § 103(a) as being obvious over Takano in view of other more tertiary references. Takano is a newly cited reference. The Examiner principally relies on the fifth embodiment of Takano. (See Takano at col. 9, line 63 to col. 10, line 35; Fig. 11.)

Takano discloses updating a management table 20, which the Examiner equates to the claimed metadata, in connection with updating or editing data files A and B on a write-once disc. Takano does not disclose or suggest a pseudo-overwrite operation **at all** as claimed. In this regard, Takano provides few details as to how the management table is updated, other than to indicate that such updating occurs. Looking at Takano Fig. 11, the management table is written to a **new data location** with each update, as shown in the progression of elements 20a, 20b, and 20c. In this regard, Takano states the with respect to the metadata version 20a updating 20b and 20c, the management table 20, which has a proper size and extends from a head block to a proper block of the optical disk, is located in a predetermined management area preceding the data area. (Takano at col. 10, lines 11-23; Fig. 11.)

Takano, however, does not disclose or suggest the feature of claim step (f) above, by which the drive apparatus is instructed to write at least a part of the updated metadata **to the location from which the metadata is read**. While the referenced passage and Fig. 11 of Takano indicate there generally is a fixed area of the disc designated for the management table 20, the updates to the management area still are instructed to be recorded in an unrecorded area (albeit still within the disc area designated for management information). Takano, however, does not teach or suggest that the instruction to the drive apparatus is to write at least a part of the updated metadata to the specific location from which the metadata is read.

The Examiner seems to be broadly interpreting the pertinent claim limitation to be writing at least a part of the updated metadata to the general disc area in which the management information is contained. Such an interpretation is incorrect in view of the current specification. As stated in the current specification, the location from which the metadata is read refers to the specific location (e.g., address) of the metadata. (See, e.g., Application published as WO 2005/109426, page 11, lines 18-29.) Thus, the location from which metadata is read is the actual location or address of the metadata, and not simply a general area of the disc designated for management information.

The pseudo-overwrite function of the claimed invention (*i.e.*, an overwrite operation in which a replacement operation is used to write data into an unrecorded area in response to an instruction to write the data into an already recorded area) has advantages over the operation of Takano. In particular, a pseudo-overwrite function allows a recording instruction to an already recorded address, which provides for a more efficient updating process. The system of Takano cannot achieve such advantage.

Accordingly, in the pseudo-overwrite operation described in the current application and referenced above, the drive apparatus is instructed to record the updated metadata to the same data location from which the metadata was read, but because the disc is a write-once disc, the updated metadata actually is written to the unrecorded spare area. In other words, the updated metadata is recorded to a location different from the location from which the metadata was read as instructed in claim step (f). In this manner, Takano does not disclose or suggest at least step (f) as recited in the independent claims. In particular, because the disc in Takano also is a write-once disc and the instruction is to update the metadata into an unrecorded area, Takano does not disclose or suggest "instructing the drive apparatus to write at least a part of the updated metadata **to the location from which the metadata is read**" as claimed.

For these reasons, Takano does not disclose or suggest features recited in independent claims 1, 6, and 8. Accordingly, Takano does not anticipate the independent claims, and the dependent claims are patentable for at least the same reasons. The rejections, therefore, should be withdrawn.

III. CONCLUSION

For the foregoing reasons, claims 1-8 are allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988, Docket No. YAMAP1014US.

Respectfully submitted,

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DATE: May 2, 2011

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